

WEDNESDAY, MARCH 15, 1978

SEVENTY-FIFTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend W. E. Walker, retired Baptist minister, Nashville, Tennessee.

Representative Tanner led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 96.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.

2477 — To impose additional tax, motor vehicles, Robertson County; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1792, as requested by the House.

EDDIE SISK,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1792, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Rhinehart, House Bill No. 1792 was returned to the Senate as requested.

Messrs. Wood and Hillis asked to be recorded as voting no on Amendment 1 to House Bill No. 395.

CALENDAR

House Bill No. 2275 — To amend Section 67-3012, Code.

Mr. Jensen moved that House Bill No. 2275 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0
Present and not voting	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Brewer, Buck, Burks, Burlison, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 92.

A motion to reconsider was tabled.

House Bill No. 2282 — To make certain provisions, Assistant Attorney General.

On motion, House Bill No. 2282 was made to conform with Senate Bill No. 2114.

On motion, Senate Bill No. 2114, on same subject, was substituted for House Bill No. 2282.

Mr. Jensen moved that Senate Bill No. 2114 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2114 by adding to the amendatory language of Section 1 the following sentence:

"Funding for the position created by this act shall cease twenty-four (24) months after the effective date of this act, if at the end of that period there are any part-time Assistant District Attorney Generals for the Third Judicial Circuit".

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 2114 by deleting at the end of Section 2 the following:

"the authorization provided by this Act for one (1) additional full-time Assistant District Attorney General for the Third Judicial Circuit of the State of Tennessee shall expire on May 1, 1980"

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2114, as amended, passed its third and final reading by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

House Bill No. 2065 — To correct deficiencies, Judicial Standards Commission Law.

On motion, House Bill No. 2065 was made to conform with Senate Bill No. 1822.

On motion, Senate Bill No. 1822, on same subject, was substituted for House Bill No. 2065.

Mr. Brewer moved that Senate Bill No. 1822 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	89
Noes.....	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner),

Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 89.

Representatives voting no were: Copeland, Henry and Longley — 3.

A motion to reconsider was tabled.

House Bill No. 2246 — To reapportion Senatorial Districts 28, 29 and 32.

On motion, House Bill No. 2246 was made to conform with Senate Bill No. 1703.

On motion, Senate Bill No. 1703, on same subject, was substituted for House Bill No. 2246.

Mr. Brewer moved that Senate Bill No. 1703 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0
Present and not voting	4

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

Representatives present and not voting were: Bussart, Moore, Small and Turner — 4.

A motion to reconsider was tabled.

House Bill No. 1718 — To provide for issuance of bonds, educational facilities.

On motion, House Bill No. 1718 was made to conform with Senate Bill No. 1714.

On motion, Senate Bill No. 1714, on same subject, was substituted for House Bill No. 1718.

Mr. Burnett (Fentress) moved that Senate Bill No. 1714 be passed on third and final reading.

Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1714 by deleting the word "pledged" from the second paragraph of Section 3 and substituting instead the word "allocated".

AND FURTHER AMEND by deleting from the last sentence of the first paragraph of Section 7 the language "carry such registration privileges,".

AND FURTHER AMEND by deleting from the last sentence of the first paragraph of Section 7 the words "of redemption" and substituting instead the words "and conditions".

AND FURTHER AMEND by adding the following sentence at the end of the second paragraph of Section 7:

Said notes and interest payable thereon shall be exempt from taxation by the State of Tennessee and each county, municipality and taxing district of the state except inheritance, transfer and estate taxes.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1714 by adding the following language at the end of Section 4:

The following sums shall be allocated for the following purposes:

University of Tennessee at Chattanooga	
Physical Education Complex	\$7,800,000
University of Tennessee Center for Health Sciences	
Off Campus Animal Care Facility	\$900,000
University of Tennessee Institute of Agriculture	
Agricultural Engineering Building	\$3,100,000
Clyde Austin 4-H Center	\$1,200,000
Sub-total University of Tennessee	\$13,000,000
Middle Tennessee State University	
Music Annex	\$1,900,000
Tennessee Technological University	\$3,900,000
Volunteer State Community College	
Campus Center Addition and Heating Plant	\$3,100,000
Walters State Community College	
Fine Arts Building, Maintenance	
Building and Central Energy Plant	\$2,800,000
Sub-total State Board of Regents	\$11,700,000
Tennessee Preparatory School	\$13,000,000
Alvin C. York Institute	\$2,100,000

Sub-total Dept. of Education

\$15,100,000

TOTAL

\$39,800,000.00

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1714, as amended, passed its third and final reading by the following vote:

Ayes.....	89
Noes.....	1
Present and not voting	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 89.

Representative voting no was: Martin — 1.

Representative present and not voting was: Wallace — 1.

A motion to reconsider was tabled.

House Bill No. 1719 — To provide for issuance of bonds, Department of Corrections.

On motion, House Bill No. 1719 was made to conform with Senate Bill No. 1715.

On motion, Senate Bill No. 1715, on same subject, was substituted for House Bill No. 1719.

Mr. Burnett (Fentress) moved that Senate Bill No. 1715 be passed on third and final reading.

Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1715 by inserting in item 1 Section 4 after the words “to be allocated and expended” the following:

“for regional correctional facilities”

On motion, the amendment was adopted.

Mr. Burentt (Fentress) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1715 by deleting the word "pledged" from the second paragraph of Section 3 and substituting instead the word "allocated".

AND FURTHER AMEND by deleting from the last sentence of the first paragraph of Section 7 the language "carry such registration privileges,".

AND FURTHER AMEND by deleting from the last sentence of the first paragraph of Section 7 the words "of redemption" and substituting instead the words "and conditions".

AND FURTHER AMEND by adding the following sentence at the end of the second paragraph of Section 7:

Said notes and interest payable thereon shall be exempt from taxation by the State of Tennessee and each county, municipality and taxing district of the state except inheritance, transfer and estate taxes.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1715, as amended, passed its third and final reading by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Good, Henry, Hillis, Hood, Hurley, Jansen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 88.

A motion to reconsider was tabled.

Mr. Murphy (Davidson) asked to be recorded as voting aye on Senate Bill No. 1715.

House Bill No. 1910 — To create the Local Development Authority.

Mr. Bragg moved that House Bill No. 1910 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1910 by adding in Section 2 under the definition "Pollution Control Facilities" in the second sentence the words "or land" following the words "in any air or water" and preceding the words "of or adjacent to" and following the words "of any air or waters" and preceding the words "of or adjacent to" and following the words "such air or waters" and pre-

ceding the words "inimical or harmful to" and following the words "of such air or waters" and preceding the words "for domestic", and

striking the period at the end of the first paragraph in Section 3, substituting in lieu thereof a comma and adding the following:

"together with one member who shall be appointed by the Speaker of the Senate upon nomination by the Tennessee County Services Association, and one member who shall be appointed by the Speaker of the House of Representatives upon nomination by the Tennessee Municipal League, each of whom shall serve for a period of two years, subject to reappointment, or until his successor is similarly nominated and appointed.", and

deleting the word and figure "three (3)" in the fourth paragraph of Section 3 and substituting in lieu thereof the word and figure "four (4)", and

deleting in Section 6 in the first paragraph the word "or" following the words "of twenty-five percent in aggregate principal amount of such bonds" and preceding the words "notes then outstanding" and substituting in lieu thereof the word "and", and deleting the word "or" in the second paragraph following the words "principal amount of such bonds" and preceding the words "notes then outstanding" and substituting in lieu thereof the word "and", and

adding a new sentence at the end of the first paragraph in Section 7 to read as follows:

"Bonds or notes issued pursuant to the provisions of this section shall not be issued and sold as part of an issue of bonds or notes of the Authority issued pursuant to any other provision of this Act or other law.", and

adding the following words "issued pursuant to the provisions of section" following the words "of its notes or bonds" and preceding the words "shall be limited special obligations" in the third paragraph of Section 7, and

adding a new sentence at the end of the first paragraph of Section 9 to read as follows:

"Bonds or notes issued pursuant to the provisions of this section shall not be issued and sold as part of an issue of bonds or notes of the Authority issued pursuant to any other provision of this Act or other law.", and

deleting in Section 9 in the second paragraph the word "expedient" and inserting in lieu thereof the word "expedient", and

adding the words "issued pursuant to the provisions of this section" following the words "of its notes or bonds" and preceding the words "shall be limited special obligations" in the third paragraph of Section 9 and deleting the word "solely" following the words "solely from and secured" and preceding the words "by moneys derived by" in the third paragraph of Section 9, and

inserting a new Section 11 to read as follows:

"Section 11. The Tennessee Local Development Authority is hereby authorized to issue its bonds and notes the principal amount of which to be outstanding at any one time shall not exceed \$50,000,000, such bonds to be issued in the manner provided in this act to implement the provisions thereof relating to providing moneys to assist small-business concerns in financing pollution control facilities.", and

renumbering Sections 11 through 17 accordingly.

Mr. Bragg moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting from the second and the fifth line of the amendatory language of the second paragraph of Amendment 1 the phrase "upon nomination" and inserting instead the phrase "from a list of three individuals nominated".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1910 by adding in the first sentence of Section 7 the words "or to retire general obligation bond anticipation notes of the State issued to provide interim financing for such program loans" following the words "state loan programs" and preceding the words "the authority", and

adding in the second sentence of Section 7 the words "including the retirement of general obligation bond anticipation notes of the State issued to provide interim financing for the state loan programs" following the words and symbol "state loan programs," and preceding the words "to provide for".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1910, as amended, passed its third and final reading by the following vote:

Ayes.....	94
Noes.....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

Representative voting no was: Small — 1.

A motion to reconsider was tabled.

House Bill No. 1912 — To amend Title 13, Chapter 16, Code.

On motion, House Bill No. 1912 was made to conform with Senate Bill No. 2176.

On motion, Senate Bill No. 2176, on same subject, was substituted for House Bill No. 1912.

Mr. Bragg moved that Senate Bill No. 2176 be passed on third and final reading, which motion prevailed by the following vote:

Ayes..... 92
Noes..... 0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 92.

A motion to reconsider was tabled.

Mr. Chiles moved that House Bill No. 1950 be placed on the Calendar for Monday, March 20, 1978, which motion prevailed.

Mr. Bussart moved that House Joint Resolution No. 135 be placed on the Calendar for Thursday, March 23, 1978, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 1613

Senate Bill No. 1613 — To amend Sections 2-211, 2-215, 2-307 and 2-409, Code.

Mr. Murphy (Davidson) moved that Senate Bill No. 1613 be passed on third and final reading.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1613 by deleting in its entirety Section 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 2-307, is amended by deleting subsection (a) and substituting therefor the following:

Polling places shall be open for voting for a minimum of eleven (11) continuous hours but no more than thirteen (13) hours. All polling places shall close at seven (7) P.M., but when elections are being held in which the voters of counties in the eastern and central

time zones are entitled to vote on a question, to choose a candidate or to fill an office, polling places in such counties in the eastern time zone shall close at eight (8) P.M., prevailing time and polling places in such counties in the central time zone shall close at seven (7) P.M., prevailing time.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1613, as amended, passed its third and final reading by the following vote:

Ayes.....	79
Noes.....	6
Present and not voting	8

Representatives voting aye were: Atchley, Bell, Bishop, Bissell, Blackburn, Brewer, Buck, Burks, Burnett (Fentress), Bussart, Byrd, Carter, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 79.

Representatives voting no were: Burleson, Cawood, Good, Murray (Franklin), Robertson and Small — 6.

Representatives present and not voting were: Ashford, Bewley, Burnett (Sumner), Butler, Moore, Sterling, Tanner and Wolfe — 8.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 2103 — To amend Title 12, Chapter 2, Code.

Mr. Hillis moved that House Bill No. 2103 be passed on third and final reading.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2103 by deleting from section 1, line 12, thereof the following language,

"nonprofit organizations under section 501 of the Internal Revenue Code which are operated for a public purpose"

and inserting in lieu thereof the following,

"nonprofit volunteer fire, police, and rescue organizations operated for a public purpose"

and further amend by deleting the word "cost" where it appears in line 16 and substituting in lieu thereof the word "value" and.

further amend by adding to the end of Section 1 the following:

"Such sales shall be subject to the restrictions contained in section 12-241, Tennessee Code Annotated."

and further amend by renumbering Section 2 as Section 3 and inserting the following new Section 2.

Section 2. Tennessee Code Annotated Section 12-241 is amended by inserting the following at the beginning of third sentence thereof:

"For the sale of surplus motor vehicles,"

and by inserting at the beginning of the 7th sentence the following phrase:

"For all surplus property,"

On motion, the amendment was adopted.

Mr. Hillis moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting in the amendatory language of Section 2 the phrase "For the sale of surplus motor vehicles," and by substituting instead the following:

Such transfers shall be made during normal hours at locations designated by the commissioner except for the sale of surplus motor vehicles."

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 2103, as amended, passed its third and final reading by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

Mr. Elkins moved that House Bill No. 2075 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1331 — To provide for deferral of tuition, certain students.

On motion, House Bill No. 1331 was made to conform with Senate Bill No. 618.

On motion, Senate Bill No. 618, on same subject, was substituted for House Bill No. 1331.

Mr. Elkins moved that Senate Bill No. 618 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinbauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

A motion to reconsider was tabled.

House Bill No. 2365 — To establish Council for Hearing Impaired.

Mr. Richards moved that House Bill No. 2365 be passed on third and final reading.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2365 by inserting the following new Section 1 at the beginning of the bill and renumbering subsequent sections accordingly, except that for purposes of this amendment references shall be to the sections as originally numbered:

For purposes of this act, the hearing impaired person is one with deafness or anacusia, which means severe or complete impairment of hearing, or a hearing level for speech of more than ninety-two (92) decibels (A.N.S.I.) for the average level 500-1000-2000 Hz., and/or an individual who cannot communicate without the benefit of visual aid, such as sign language or fingerspelling.

AND FURTHER AMEND by deleting original Section 1 in its entirety, substituting in lieu thereof the following:

There is hereby created the Tennessee council for the hearing impaired, which shall have the following duties:

(a) to advocate services affecting the hearing impaired in the areas of public services, health care, and educational, vocational, and employment opportunity;

(1) to act as a bureau of information for the hearing impaired to state agencies and public institutions providing health care, employment, vocational, and educational services to the hearing impaired, and to local agencies and programs;

(2) to collect facts and statistics and other special studies of conditions affecting the health and welfare of the hearing impaired in this state;

(3) to provide for a mutual exchange of ideas and information on the national, state, and local levels;

(4) to encourage and assist local governments in the development of programs for the hearing impaired.

(5) to cooperate with public and private agencies and units of local, state, and federal governments in promoting coordination in programs for the hearing impaired;

(b) to authorize the executive director to prepare an annual report to the council which reviews the status of state services for the hearing impaired. The council will submit the approved report to the Tennessee Legislature and make this report available to organizations serving the hearing impaired.

(c) to make recommendations for needed improvements and to serve as an advisory body in regard to new legislation affecting the hearing impaired. AND FURTHER AMEND by deleting subsection (a) of original Section 2, and substituting therefor the following:

(a) The council for the hearing impaired shall consist of nine (9) members, and shall be composed as follows:

The commissioner of education or his designee, the commissioner of human services or his designee, the commissioner of mental health/mental retardation or his designee, the assistant commissioner of vocational rehabilitation or his designee, the president of Tennessee Association of the Deaf, the president of Tennessee Registry of Interpreters for the Deaf, and three (3) hearing impaired consumer representatives appointed by the governor from a list of six (6) nominees submitted by the Tennessee Association of the Deaf.

The hearing impaired consumer representatives shall serve terms of three (3) years, except that to insure staggered terms, the Governor shall designate one (1) of the three (3) members initially appointed to serve one (1) year, one (1) to serve two (2) years, and one (1) to serve three (3) years. Any position which becomes vacant prior to the expiration of a full term, shall be filled only for the period of the unexpired term.

AND FURTHER AMEND by deleting subsections (b) and (c) of original Section 3, substituting therefor the following:

(b) the executive director, with the advice and consent of the council, shall:

(1) to the extent of available funds, plan and oversee the establishment of service centers for the hearing impaired in each regional economic development district, and/or support and coordinate the activities of the existing centers in cooperation with the local board of directors;

(2) promote accessibility of all governmental services to hearing impaired citizens in Tennessee including those hearing impaired persons with multiple disabilities;

(3) identify agencies, both public and private which provide community services, evaluate the extent to which they made services available to hearing impaired people, and cooperate with the agencies in coordinating and extending these services.

(4) encourage for the mutual exchange of ideas and information on services for hearing impaired people between federal, state, and local governmental agencies, and private organizations and individuals;

(5) survey the needs of the hearing impaired population in Tennessee, and assist the council in the preparation of its report to the legislature.

(6) maintain, in cooperation with the Tennessee Registry of Interpreters for the Deaf, a listing of persons qualified in various types of interpreting, and make this information available to local, state, federal, and private organizations;

(7) promote the training of interpreters for the hearing impaired;

(8) perform such other duties as may be required by law.

(c) In selecting an executive director, the council shall select an individual who is fluent in the American Sign Language of the Deaf and otherwise qualified.

AND FURTHER AMEND by deleting the words "assistance and" from original Section 4.

AND FURTHER AMEND by deleting items (7) through (10), inclusive, under original Section 6, and substituting therefor the following:

(7) to provide services as outlined by this act to employers of hearing impaired persons and related members of the family that may be involved;

(8) to provide the specified services to the hearing impaired persons qualified under this act without cost;

(9) to serve as an advocate for the rights and needs of the hearing impaired;

(10) to help hearing impaired citizens to become self-sufficient in meeting their needs in the community.

AND FURTHER AMEND by deleting original section 9 in its entirety and substituting therefor the following:

There is appropriated the sum of twenty-seven thousand, five hundred dollars (\$27,500) for implementation of the work of the council during the fiscal year beginning July 1, 1978.

Mr. Gill moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting the amendatory language of the last amendatory clause and substituting in lieu thereof the following:

There is appropriated the sum of twenty-seven thousand, five hundred dollars (\$27,500) for implementation of the work of the council during the fiscal year beginning July 1, 1978, provided matching federal funds are available.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 2365, as amended, passed its third and final reading by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 97.

A motion to reconsider was tabled.

Mr. Fuqua moved that House Resolution No. 100 be placed on the Calendar for Thursday, March 23, 1978, which motion prevailed.

House Bill No. 2144 — To create Criminal Investigator position, 17th Judicial Circuit.

Mr. Young moved that House Bill No. 2144 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh,

Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

House Bill No. 2350 — To regulate distributions from capital surplus.

On motion, House Bill No. 2350 was made to conform with Senate Bill No. 2311.

On motion, Senate Bill No. 2311, on same subject, was substituted for House Bill No. 2350.

Mr. Murphy (Davidson) moved that Senate Bill No. 2311 be passed on third and final reading, which motion prevailed by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

Representative present and not voting was: Burleson — 1.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

Mr. Murphy (Davidson) moved that House Bill No. 2062 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 1913 — To authorize issuance of certain bonds.

On motion, House Bill No. 1913 was made to conform with Senate Bill No. 2178.

On motion, Senate Bill No. 2178, on same subject, was substituted for House Bill No. 1913.

Mr. Bragg moved that Senate Bill No. 2178 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2178 by amending Section 2 to read as follows:

"Section 2. It is hereby declared to be the legislative intent that from and after the passage of this act, state loans to local governments for sewage treatment, waterworks construction, and resource and energy recovery facilities shall be primarily financed from the proceeds of bonds and notes issued by the Tennessee Local Development Authority rather than bonds or notes authorized by the various public chapters heretofore enacted by the General Assembly to provide funds for the purposes stipulated above; provided, that nothing contained in this section shall prohibit or be deemed to prohibit the issuance of bonds or notes authorized by various public chapters heretofore enacted by the General Assembly to provide funds for the purposes stipulated above in such amounts as may be necessary to meet the requirements of such loan agreements as may be outstanding on the effective date of this act that will require the issuance of bonds or notes by the Funding Board, or to provide interim financing or to retire notes issued to provide interim financing for the purposes stipulated above, or, in the event that the Tennessee Local Development Authority cannot for any reason issue bonds or issue bonds in an amount sufficient to fulfill all contracts entered into by the State and local governments within the state for such loans to provide funds for the purposes stipulated above."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2178, as amended, passed its third and final reading by the following vote:

Ayes.....94
Noes.....0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

A motion to reconsider was tabled.

House Bill No. 1914 — To regulate certain grants or loans by the state.

Mr. Bragg moved that House Bill No. 1914 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1914 by adding a new Section 1 to read as follows:

Section 1. Section 53-2017(4), Tennessee Code Annotated, is amended by adding in item (2) the word "either" following the words "of the department," and preceding the words "eligible for federal" and by adding "or required to be undertaken by a federal or state agency," following "abatement assistance," and preceding the words "whether or not federal funds" and by deleting in item (4) the words "stream pollution" and substituting in lieu thereof the words "water quality", and

renumbering the present Section 1 to read "Section 2" and adding a new sentence at the end of that section to read:

"Provided, however, that the annual repayment schedule applicable to all approved grants to a municipality under provisions of Sections 53-2017—53-2028 when combined with annual repayment schedule applicable to loans to the municipality under provisions of Sections 53-2055—53-2072 and Sections 53-4322—53-4337, shall not exceed the unobligated amount of annual state-shared taxes paid to the municipality for the preceding state fiscal year.", and

adding a new Section 3 to read as follows:

Section 3. Section 53-2019(2), Tennessee Code Annotated, is amended by deleting the word "same" in that paragraph and substituting in lieu thereof the word "similar" and by adding a new sentence at the end of that paragraph to read as follows:

"Provided that eligibility to receive federal funds shall not be a condition precedent to receiving an allocation of state grants if such project otherwise qualifies for such grant.", and

adding a new Section 4 to read as follows:

Section 4. Section 53-2020(1)(b), Tennessee Code Annotated, is amended to read as follows:

"(b)(i) With respect to an eligible project receiving federal funds, and an agreement by the department to pay to the municipality an amount not to exceed one-half (1/2) of that portion of the actual cost of the project, or the reasonable cost of the project, whichever is lower, that is not paid by the federal government; but the department may, at its discretion, make payments in excess of one-half (1/2) of that portion of the cost of the project not paid by the federal government where such payment does not exceed twenty-five percent (25%) of the total actual cost of the project, or of the reasonable cost of the project, whichever is lower, and (ii) with respect to an eligible project receiving no federal funds, an agreement by the department to pay the municipality an amount sufficient to permit completion of such project. Part of the grant may be paid by the department to the municipality prior to the construction, or during the progress of the construction, or the grant may be paid following completion of the construction, as may be agreed upon by the parties.", and

renumbering present Section 2 to read "Section 5" and renumbering the present sections accordingly, and

deleting in the first paragraph of the present Section 4 the word "only" following the word "remit" and preceding the word "such" and by inserting the words "at least" following the words "in a sinking fund as will be" and preceding the words "sufficient for the payment of" and by deleting the words "matching funds for federal" following the word "providing" and preceding the word "grants", and

deleting the words "matching funds for federal" following the words "purpose of providing" and preceding the words "grants for sewage treatment" in subsections (a) and (b) of the present Section 4 and by deleting the last sentence in that section, and

adding a new sentence at the end of present Section 5 to read:

"Provided, however, that the annual repayment schedule applicable to all approved loans to a municipality under provisions of Sections 53-2055—53-2072 when combined with annual repayment schedules applicable to loans and grants to the municipality under provisions of Sections 53-2017—53-2028 and 53-4322—53-4337, shall not exceed the unobligated amount of annual state-shared taxes paid to the municipality for the preceding state fiscal year.", and

deleting the last sentence of the present Section 9, and

adding a new sentence at the end of present Section 10 to read:

"Provided, however, that the annual repayment schedule applicable to all approved loans to a municipality under provisions of Sections 53-4322—53-4337 when combined with annual repayment schedules applicable to loans and grants to the municipality under provisions of Sections 53-2017—53-2028 and Sections 53-2055—53-2072 shall not exceed the unobligated amount of annual state-shared taxes paid to the municipality for the preceding state fiscal year.", and

deleting the last sentence of the present Section 14.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1914, as amended, passed its third and final reading by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 97.

A motion to reconsider was tabled.

Mr. Ledford asked to be recorded as voting "aye" on House Bill No. 2103.

House Joint Resolution No. 465 — Relative to directing an evaluation of progress in meeting EPA sewage treatment standards.

Mr. Bragg moved that House Joint Resolution No. 465 be adopted, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 96.

A motion to reconsider was tabled.

House Bill No. 2327 — To amend Section 13-2321, Code.

Mr. Bragg moved that House Bill No. 2327 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	88
Noes.....	0
Present and not voting	5

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work and Yelton — 88.

Representatives present and not voting were: Hall, Henry, Scruggs, Smith and Mr. Speaker McWherter — 5.

A motion to reconsider was tabled.

House Bill No. 727 — To prohibit discriminatory practices.

On motion, House Bill No. 727 was made to conform with Senate Bill No. 584.

On motion, Senate Bill No. 584, on same subject, was substituted for House Bill No. 727.

Mr. Stafford moved that Senate Bill No. 584 be placed on the Calendar for Monday, March 27, 1978, which motion failed by the following vote:

Ayes.....	26
Noes.....	38
Present and not voting	8

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Buck, Burleson, Butler, Dixon, Fuqua, Hall, Jensen, Lanier, Lashlee, Murray (Franklin), Naifeh, Robertson, Robinson (Davidson), Scruggs, Shockley, Smith, Stafford, Tanner, Wallace, Watson, Wolfe and Wood — 26.

Representatives voting no were: Bissell, Blackburn, Bragg, Brewer, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Cawood, Clark, Cobb, Davidson (Robertson), Davis, DeBerry, Elkins, Ellis, Ford (Shelby), Hillis, Hood, Hurley, Kernell, King, Love, McKinney, Martin, Miller, Murphy (Shelby), Ozment, Phillips, Pruitt, Richards, Spence, Stallings, Steinhauer, Withers, Work and Yelton — 38.

Representatives present and not voting were: Gaia, Good, Moore, Murray (Madison), Richardson, Webb, Williams and Mr. Speaker McWherter — 8.

Mr. Scruggs moved that Senate Bill No. 584 be rejected.

Mr. Burnett (Fentress) moved that the motion be tabled, which motion prevailed by the following vote:

Ayes.....	58
Noes.....	26
Present and not voting	4

Representatives voting aye were: Bell, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Shelby), Gaia, Hillis, Hood, Hurley, Jensen, Kernell, King, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Spence, Stallings, Starnes, Steinhauer, Tanner, Watson, Withers, Work, Yelton, Young and Mr. Speaker McWherter — 58.

Representatives voting no were: Bewley, Bishop, Burleson, Carter, Dixon, Fisher, Fuqua, Hall, Johnson, Lanier, Lashlee, McAfee, Moore, Naifeh, Robertson, Robinson (Davidson), Scruggs, Shockley, Small, Smith, Stafford, Turner, Wallace, Williams, Wolfe and Wood — 26.

Representatives present and not voting were: Butler, Good, Murray (Madison) and Webb — 4.

Mr. Burnett (Fentress) moved the previous question, which motion prevailed by the following vote:

Ayes.....	65
Noes.....	18
Present and not voting	6

Representatives voting aye were: Atchley, Bell, Bissell, Blackburn, Bragg, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Shelby), Fuqua, Gaia, Good, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Shockley, Spence, Stallings, Starnes, Steinhauer, Tanner, Watson, Webb, Withers, Wood, Work, Yelton and Young — 65.

Representatives voting no were: Bewley, Bishop, Burleson, Dixon, Ford (Cocke), Gill, Hall, Jensen, Ozment, Robertson, Robinson (Davidson), Scruggs, Small, Smith, Stafford, Wallace, Williams and Wolfe — 18.

Representatives present and not voting were: Ashford, Brewer, Martin, Moore, Richards and Mr. Speaker McWherter — 6.

Mr. Murphy (Shelby) moved that Senate Bill No. 584 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	63
Noes.....	12
Present and not voting	16

Representatives voting aye were: Bell, Bissell, Blackburn, Bragg, Brewer, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Gill, Good, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Ledford, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Hamilton), Shockley, Spence, Stallings, Starnes, Steinhauer, Watson, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 63.

Representatives voting no were: Bishop, Burleson, Carter, Dixon, Fuqua, McAfee, Robertson, Small, Smith, Stafford, Wallace and Wolfe — 12.

Representatives present and not voting were: Ashford, Atchley, Bewley, Butler, Byrd, Davidson (Wayne), Hall, Henry, Lanier, Lashlee, Moore, Murray (Madison), Naifeh, Scruggs, Tanner and Webb — 16.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1690 — To authorize Commissioner of Conservation to administer certain Acts.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1690 by deleting Section 1 in its entirety and insert the following:

“Section 1.

(a) The Commissioner is hereby authorized to administer and enforce Sections 502(b) and (C) of the Federal Act in regard to all surface coal mining operations conducted within this state.

(b) The Commissioner shall continue to issue permits for surface coal mining operations as presently required by the provisions of the Tennessee Surface Mining Law of 1972; provided, however, that all permits for surface coal mining operations issued by the Commissioner on or after the effective date of this Act shall contain the following statement referring to and requiring compliance by the operator with the provisions set forth in Section 502(c) of the Federal Act:

“The operator is required to comply with the provisions of Section 502(c) of the Federal Surface Mining Control and Reclamation Act of 1977 (Public Law 95-87), a copy of which shall be provided to the operator upon request.”

(c) On and after May 4, 1978, all surface coal mining operations on land upon which such operations are regulated by the Commissioner shall comply with the provisions set forth in Section 502(c) of the Federal Act, and all permits issued by the Commissioner prior to the effective date of this Act shall be deemed amended, effective as of May 4, 1978, to require compliance with such provisions regardless of whether actual notice of such amendment is received by the operator.

No operator engaged in surface coal mining operations pursuant to a permit issued prior to the effective date of this Act shall be required to reapply for a permit unless otherwise required by the Tennessee Surface Mining Law of 1972.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1690 by renumbering Section 5 to be Section 6 and insert the following in its entirety:

Section 5. No provision of the Tennessee Surface Mining Law of 1972 or other state law or regulation in effect on the date of enactment of this Act shall be superseded by any provision of this Act except insofar as such law or regulation is inconsistent with the provisions of this Act.

Mr. Watson moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.....	89
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Henry, Hillis, Hood, Hurley, Jensen,

Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 89.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 507 out of order, which motion prevailed.

House Joint Resolution No. 507 — Relative to memorializing James A. "Jimmie" Peeler — By Naifeh, Bishop, Stallings, Lanier, Murray (Madison), Lashlee, Fuqua, Davidson (Wayne), Butler, Tanner, Wallace and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 508 out of order, which motion prevailed.

House Joint Resolution No. 508 — Relative to honoring the memory of James P. Lanier of Dyersburg — By Naifeh, Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Love moved that the rules be suspended for the purpose of introducing House Resolution No. 126 out of order, which motion failed by the following vote:

Ayes.....	61
Noes.....	4
Present and not voting	7

Representatives voting aye were: Bell, Bewley, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Ford (Shelby), Gaia, Gill, Good, Hall, Hillis, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Shockley, Spence, Stallings, Steinhauer, Tanner, Turner, Wallace, Webb, Williams, Withers, Wolfe, Wood and Yelton — 61.

Representatives voting no were: Buck, Ford (Cocke), Ledford and Robertson — 4.

Representatives present and not voting were: Ashford, Bishop, Cawood, Clark, Moore, Richards and Mr. Speaker McWherter — 7.

STANDING COMMITTEE REPORT

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 458.

ROBINSON (Davidson), Chairman

Under the rules, House Joint Resolution No. 458 was transmitted to the Committee on Calendar and Rules.

Mr. Lanier moved that House Joint Resolution No. 458 be recalled from the Committee on Calendar and Rules, which motion prevailed.

Mr. Lanier moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 458, which motion prevailed.

House Joint Resolution No. 458 — Relative to naming portion of U.S. Highway 51, "The Jere B. Ford Memorial Highway."

The resolution was adopted by the following vote:

Ayes.....	79
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Buck, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Yelton, Young and Mr. Speaker McWherter — 79.

A motion to reconsider was tabled.

Mr. Carter moved that House Joint Resolution No. 420 be recalled from the Committee on Calendar and Rules, which motion prevailed.

On motion, the rules were suspended for the immediate consideration of the resolution.

House Joint Resolution No. 420 — Relative to preserving Montlake.

The resolution was adopted by the following vote:

Ayes.....	78
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, Lanier, Ledford, Longley, Love, McAfee, Miller, Moore, Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Pickering, Richards, Richardson, Robertson, Robinson (Hamilton), Scruggs, Shockley, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Yelton, Young and Mr. Speaker McWherter — 78.

A motion to reconsider was tabled.

On motion of Mr. Burks, House Joint Resolution No. 327 was recalled from the Committee on Calendar and Rules.

Mr. Burks moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 327, which motion prevailed.

House Joint Resolution No. 327 — Relative to amending the Constitution, taxation of personal property.

As required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 327 passed its first reading by the following vote:

Ayes.....	87
Noes.....	0
Present and not voting	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, King, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 87.

Representative present and not voting was: Cawood — 1.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 503 out of order, which motion prevailed.

House Joint Resolution No. 503 — Relative to naming certain bridge approach, "The Hugh Dixon Causeway" — By Hillis and McKinney.

Mr. Hillis moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 503, which motion prevailed.

The resolution was adopted by the following vote:

Ayes.....	79
Noes.....	0
Present and not voting	2

Representatives voting aye were: Bewley, Bishop, Blackburn, Buck, Burks, Burleson, Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Love, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams; Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 79.

Representatives present and not voting were: Atchley and Bell — 2.

A motion to reconsider was tabled.

Mr. Miller moved that House Joint Resolution No. 468 be recalled from the Committee on State and Local Government, which motion prevailed.

Mr. Miller moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 468, which motion prevailed.

House Joint Resolution No. 468 — Relative to studying expansion, State Technical Institute, Knoxville.

The resolution was adopted by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley,

Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 88.

A motion to reconsider was tabled.

Mr. Byrd moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 509 out of order, which motion prevailed.

House Joint Resolution No. 509 — Relative to honoring Coach Wayne Yates of Memphis State University — By Byrd, Gill, Spence, Turner, Williams, Ford (Shelby), Gaia, DeBerry, Martin, Brewer, Sterling, Small, Kernell and Ashford.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Byrd, the resolution was adopted.

A motion to reconsider was tabled.

On motion of Mr. Wolfe, House Joint Resolution No. 439 was recalled from the Committee on Calendar and Rules.

Mr. Wolfe moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 439, which motion prevailed.

House Joint Resolution No. 439 — Relative to naming certain bridge, "The Harrison - McGarity Bridge."

The resolution was adopted by the following vote:

Ayes.....	85
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 85.

A motion to reconsider was tabled.

On motion of Mr. Steinhauer, House Joint Resolution No. 366 was recalled from the Committee on Calendar and Rules.

Mr. Steinhauer moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 366, which motion prevailed.

House Joint Resolution No. 366 — Relative to preparing study on a new freeway route.

The resolution was adopted by the following vote:

Ayes.....	78
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Cawood, Chiles, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 78.

A motion to reconsider was tabled.

On motion of Mr. Steinhauer, House Joint Resolution No. 469 was recalled from the Committee on Calendar and Rules.

Mr. Steinhauer moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 469, which motion prevailed.

House Joint Resolution No. 469 — Relative to requesting funds, Whitehouse High School Band.

The resolution failed to be adopted by the following vote:

Ayes.....	41
Noes.....	14
Present and not voting	13

Representatives voting aye were: Burnett (Fentress), Burnett (Sumner), Byrd, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Kernell, King, Ledford, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Robinson (Davidson), Robinson (Hamilton), Spence, Steinhauer, Watson, Withers, Wood and Young — 41.

Representatives voting no were: Bell, Bishop, Bragg, Buck, Burleson, Chiles, Elkins, Henry, Murray (Franklin), Robertson, Small, Stallings, Wallace and Wolfe — 14.

Representatives present and not voting were: Ashford, Gill, Hall, Hillis, Hurley, Lashlee, Moore, Murray (Madison), Stafford, Starnes, Tanner, Webb and Mr. Speaker McWherter — 13.

Under the rules, House Joint Resolution No. 469 was referred to the Committee on Calendar and Rules.

STATEMENT ON HOUSE JOINT RESOLUTION NO. 469

I congratulate the band of White House High School on being selected to attend the Cherry Blossom festival in Washington. However, I could not support subject resolution as I did not believe it proper.

JOHN BRAGG

Mr. Hurley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 502 out of order, which motion prevailed.

House Joint Resolution No. 502 — Relative to commending Lieutenant Colonel Samuel L. Eure — By Hurley and Robinson (Hamilton).

On motion the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hurley, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Stallings moved that the rules be suspended for the purpose of introducing House Resolution No. 132 out of order, which motion prevailed.

House Resolution No. 132 — Relative to congratulating the Middleton High School girls basketball team — By Stallings and Wolfe.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Stallings, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Stallings moved that the rules be suspended for the purpose of introducing House Resolution No. 133 out of order, which motion prevailed.

House Resolution No. 133 — Relative to congratulating the Bolivar Central High School girls basketball team — By Stallings and Wolfe.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Stallings, the resolution was adopted.

A motion to reconsider was tabled.

Mr. McAfee moved that House Joint Resolution No. 462 be recalled from the Committee on Calendar and Rules, which motion prevailed.

House Joint Resolution No. 462 — Relative to congratulating the Baylor School of Chattanooga State Wrestling Championship.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McAfee, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 91

Representatives present were: Ashford, Atchley, Bell, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 488 — Relative to congratulating Newport Grammar School Warriors — By Ford (Cocke).

Under the rules, House Joint Resolution No. 488 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 489 — Relative to congratulating Jefferson County Girls Elementary Basketball Champions — By Ford (Cocke).

Under the rules, House Joint Resolution No. 489 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 490 — Relative to congratulating Cosby High School Eaglettes — By Ford (Cocke).

Under the rules, House Joint Resolution No. 490 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 491 — Relative to congratulating Cosby High School basketball team — By Ford (Cocke).

Under the rules, House Joint Resolution No. 491 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 492 — Relative to congratulating David Whaley — By Ford (Cocke).

Under the rules, House Joint Resolution No. 492 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 493 — Relative to congratulating Smokey Mountain Elementary Bearettes — By Ford (Cocke).

Under the rules, House Joint Resolution No. 493 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 494 — Relative to congratulating Tom Bibbs — By Robinson (Hamilton), Wood and Starnes.

Under the rules, House Joint Resolution No. 494 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 496 — Relative to regulating use of automated dialing systems — By Chiles.

Under the rules, House Joint Resolution No. 496 was referred to the Committee on Calendar and Rules.

House Resolution No. 122 — Relative to equitable method, funding of county election commissions — By Lashlee, Lanier, Fuqua, Stallings, Tanner, Butler, Naifeh, Wallace, Davidson (Wayne), Hillis, Murray (Madison) and Bishop.

Under the rules, House Resolution No. 122 was referred to the Committee on Calendar and Rules.

House Resolution No. 123 — Relative to congratulating U.T. Chattanooga wrestling team — By McAfee, Davis, Copeland, Robinson (Hamilton), Wood, Starnes and Carter.

Under the rules, House Resolution No. 123 was referred to the Committee on Calendar and Rules.

House Resolution No. 124 — Relative to congratulating Jim Morgan — By McAfee, Carter, Davis, Copeland, Robinson (Hamilton), Wood and Starnes.

Under the rules, House Resolution No. 124 was referred to the Committee on Calendar and Rules.

House Resolution No. 125 — Relative to studying black college athletes — By Love.

Under the rules, House Resolution No. 125 was referred to the Committee on Calendar and Rules.

House Resolution No. 126 — Relative to studying Commission on Aging — By Love.

Under the rules, House Resolution No. 126 was referred to the Committee on Calendar and Rules.

House Resolution No. 128 — Relative to office space, Poet Laureate — By Love.

Under the rules, House Resolution No. 128 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2564 — To amend Charter, Humboldt — By Fuqua.

Passed first reading.

House Bill No. 2565 — To amend Charter, Kingsport — By Hood, Yelton, Blackburn, Robinson (Washington) and Hurley.

Passed first reading.

SENATE BILLS ON FIRST READING

Senate Bill No. 1504 — To create office, County Attorney, Smith County.

Passed first reading.

Senate Bill No. 1997 — To enact Tennessee Health Planning and Resources Development Act of 1978.

Passed first reading.

Senate Bill No. 2122 — To amend Section 52-1503, Code.

Passed first reading.

Senate Bill No. 2183 — To amend Sections 33-403 and 33-407, Code.

Passed first reading.

Senate Bill No. 2396 — To amend Section 54-1004, Code.

Passed first reading.

Senate Bill No. 2444 — To amend Purchasing Commission Act, Smith County.

Passed first reading.

Senate Bill No. 2456 — To regulate coon dog training.

Passed first reading.

Senate Bill No. 2469 — To amend Road Law, Wilson County.

Passed first reading.

Senate Bill No. 2470 — To amend Chapter 50, Private Acts, 1971.

Passed first reading.

Senate Bill No. 2477 — To impose additional tax, motor vehicles, Robertson County.

Passed first reading.

HOUSE BILL ON SECOND READING

House Bill No. 2560 — To make certain provisions, sale of blood and parts thereof.

Passed second reading and referred to Committee on Finance, Ways and Means.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1781 (with amendment), 2551 and 2559.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 16, 1978: House Bills Nos. 1617, 2394, 1890, 2118, 2391, 1808, 2284, 2159, 2230, 2231, 1538, 263, 2131, 2315, 2460 and 1761.

LANIER, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Consent Calendar for Thursday, March 16, 1978: House Bills Nos. 2133, 1739, 1738, 1461, House Joint Resolution Nos. 352, 339, House Bill No. 2518, Senate Joint Resolutions Nos. 153, 156, 157, 160, 164, 165, 178, 184, 186, 190, 191, 192, 193, 194, 195, 199, 200, 202, 206, 207, 211, House Resolutions Nos. 94, 113, 114, 115, House Joint Resolutions Nos. 408, 410, 411, 452, 459, 460, 466, 467, 470, 472, House Bills Nos. 2478, 2480, 2482, 2490, 2491, 2509, 2510, 2513, 2515, 2517, 2521, 2522, 2523, 2525, 2526, 2527, 2529, 2530, 2531, 2432, 2534 and 2535.

LANIER, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

445 — Relative to memory, Judge Clint Beasley;

446 — Relative to memory, Wellwood Irons;

499 — Relative to congratulating Miss Barrie Burnett; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2019 — Burks

House Bill No. 2103 — Hurley

House Joint Resolution No. 469 — Murphy (Davidson)

House Resolution No. 119 — Ellis

On motion of Mr. Small, his name was removed as sponsor of House Bill No. 338.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

- 287 — Relative to honoring Tracy Caulkins;**
- 297 — Relative to mental health and mental retardation programs;**
- 307 — Relative to commending Nashville television stations;**
- 329 — Relative to congratulating William Howard Westhauer;**
- 333 — Relative to expediting improvements to I-40, Knox and Loudon Counties;**
- 347 — Relative to honoring and congratulating Dr. John Joseph Shea, Jr.;**
- 350 — Relative to commending Alpha Gamma Chapter Zeta Beta Tau Fraternity;**
- 351 — Relative to honoring the members of the Shelbyville, Bedford County Bar Association;**
- 355 — Relative to honoring Adjutant General Carl D. Wallace;**
- 360 — Relative to memorializing former Senator Ben R. Kerr;**
- 361 — Relative to expressing sympathy on the death of Jimmy Lee Meade;**
- 364 — Relative to honoring Joe M. Lambert;**
- 369 — Relative to naming bridge in Hawkins County;**
- 375 — Relative to memory, W. E. Carter;**
- 391 — Relative to congratulating Dr. Athens Clay Pullias;**
- 393 — Relative to congratulating Mr. Harold B. Roney;**
- 394 — Relative to congratulating Mr. Levin Billings;**
- 395 — Relative to commending Chief Lone White Eagle;**
- 396 — Relative to congratulating Patrolman John W. Hollingsworth;**
- 400 — Relative to opposing the proposed fuel economy standards for 1980-81;**
- 402 — Relative to honoring John Amos Boutwell;**

447 — Relative to congratulating Otis M. Smith;

471 — Relative to congratulating Earnest Clinton Winfield, III;

483 — Relative to congratulating Representative David Copeland; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

2274 — To amend Shelby County Restructure Act;

2281 — To amend Shelby County Restructure Act; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Longley asked to be recorded as voting "no" on Amendment No. 1 to House Bill No. 395.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 244; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolution No. 244.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1910, 1914, 2103, 2144, 2275, 2327 and 2365; and House Joint Resolutions Nos. 366, 420, 439, 458, 462, 465, 468, 502, 503, 507, 508 and 509; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Burnett (Fentress), the House adjourned until 10:00 a.m. tomorrow.